

C/M

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DAMOLA ADELANWU,

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.
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MEMORANDUM
DECISION AND ORDER

11 Civ. 0869 (BMC)

COGAN, District Judge.

Petitioner, *pro se*, filed a letter challenging the computation of his sentence, which the Court deems to be a petition filed pursuant to 28 U.S.C. § 2241. See Thompson v. Choinski, 525 F.3d 205, 210 (2d Cir. 2008) (observing that § 2241 is the proper vehicle for challenging, *inter alia*, the calculation of a prisoner's sentence by prison officials). Section 2241 petitions, however, must be filed in the district where the petitioner is confined. See Rumsfeld v. Padilla, 542 U.S. 426, 446-47 (2004) ("Whenever a § 2241 habeas petitioner seeks to challenge his present physical custody within the United States, he should name his warden as respondent and file the petition in the district of confinement."). Petitioner is serving his sentence in Youngstown, Ohio. The Court finds that given petitioner's apparent good faith in filing his letter before the sentencing Court, the "interests of justice" warrant a transfer of jurisdiction rather than a dismissal. See Liriano v. United States, 95 F.3d 119, 122 (2d Cir. 1996) (noting that

§ 1631 was enacted to aid litigants confused about the proper forum for review). The Clerk is therefore directed to transfer the case to the Northern District of Ohio.

SO ORDERED.

Signed electronically / Brian M. Cogan
U.S.D.J.

Dated: Brooklyn, New York
February 23, 2011